

118TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To amend the Immigration and Nationality Act to provide for the detention of certain aliens who commit assault against law enforcement officers.

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IN THE HOUSE OF REPRESENTATIVES

Mr. VAN DREW introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend the Immigration and Nationality Act to provide for the detention of certain aliens who commit assault against law enforcement officers.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Detain and Deport  
5 Illegal Aliens Who Assault Cops Act”.

6 **SEC. 2. DETENTION OF CERTAIN ALIENS WHO COMMIT AS-**  
7 **SAULT AGAINST LAW ENFORCEMENT OFFI-**  
8 **CERS.**

9 Section 236(c) of the Immigration and Nationality  
10 Act (8 U.S.C. 1226(c)) is amended—

1 (1) in paragraph (1)—

2 (A) in the matter preceding subparagraph  
3 (A), by striking “Attorney General” and insert-  
4 ing “Secretary of Homeland Security”;

5 (B) in subparagraph (C), by striking “,  
6 or” and inserting a comma;

7 (C) in subparagraph (D), by adding “or”  
8 at the end; and

9 (D) by inserting after subparagraph (D)  
10 the following:

11 “(E)(i) is inadmissible under section  
12 212(a)(6)(A) or (C) or under section 212(a)(7);  
13 and

14 “(ii) is charged with, arrested for, con-  
15 victed of, admits having committed, or admits  
16 committing acts which constitute the essential  
17 elements of any offense involving assault of a  
18 law enforcement officer,”;

19 (2) by redesignating paragraph (2) as para-  
20 graph (4); and

21 (3) by inserting after paragraph (1) the fol-  
22 lowing:

23 “(2) CIRCUMSTANCES.—

1           “(A) IN GENERAL.—The circumstances re-  
2           ferred to in paragraph (1)(E) are that the law  
3           enforcement officer was assaulted—

4                   “(i) while he or she was engaged in  
5           the performance of his or her official du-  
6           ties;

7                   “(ii) because of the performance of his  
8           or her official duties; or

9                   “(iii) because of his or her status as  
10          a law enforcement officer.

11          “(B) DEFINITIONS.—For purposes of  
12          paragraph (1)(E)—

13                   “(i) the term ‘assault’ has the mean-  
14          ing given that term in the jurisdiction  
15          where the acts occurred; and

16                   “(ii) the term ‘law enforcement offi-  
17          cer’ is a person authorized by law—

18                           “(I) to engage in or supervise the  
19          prevention, detention, investigation, or  
20          prosecution, or the incarceration of  
21          any person for any criminal violation  
22          of law;

23                           “(II) to apprehend, arrest, or  
24          prosecute an individual for any crimi-  
25          nal violation of law; or

1                                   “(III) to be a firefighter or other  
2                                   first responder.

3                                   “(3) DETAINER.—The Secretary of Homeland  
4                                   Security shall issue a detainer for an alien described  
5                                   in paragraph (1)(E) and, if the alien is not other-  
6                                   wise detained by Federal, State, or local officials,  
7                                   shall effectively and expeditiously take custody of the  
8                                   alien.”.